

REMARKS

In the Office Action mailed October 2, 2006, the Examiner rejected all pending claims 1-25 and 29-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0045310 (Price), and also as being anticipated by U.S. Patent No. 7,031,447 (Mani). To anticipate a claim, each and every element set forth in the claim must be found in a single reference. (MPEP § 2131). Applicants submit that neither Price nor Mani teaches each element of any of independent claims 1, 22 or 29.

I. Response to Claim Rejections as Being Anticipated by Price

The Examiner rejected claims 1-25 and 29-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0045310 (Price). Applicants submit that Price does not teach “in a client station, detecting a request to initiate a voice call,” and “responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service,” as in claim 1 and similarly in claims 22 and 29.

Price teaches a method for determining the operational or contact-ability status of a mobile station (MS). The method includes an originating MS initiating a status enquiry by accessing a phone book feature to locate the name of the desired destination MS (para 0034). On selecting a ‘status’ option, the originating MS transmits a status enquiry to the selected MS using the phone book feature (para 0035). Price teaches that the status enquiry is transmitted to the selected MS in the form of a short message service (SMS) message (para 0038). On receipt of the status enquiry, the destination MS automatically transmits a response back to the originating MS, informing the originating MS that the message has been received (para 0044-0045). If the destination MS is uncontactable, a message from the network operator will be returned to the originating MS (para 0052).

Price is not directed toward a method and system for conveying location-granularity preferences with location-based service requests. Price makes no mention of location-granularity preferences, or location-based services. As such, Price does not teach “in a client station, detecting a request to initiate a voice call,” and “responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service,” as in claim 1 and similarly in claims 22 and 29. In fact, Price does not teach detecting a request to initiate a voice call as a trigger for a client station sending a message into the network. Within Price, an originating MS selects a phonebook feature to initiate the status enquiry. No voice call is attempted.

In addition, within Price, the message sent from the originating MS does not indicate how to carry out a location-based service. In stark contrast, the message is a status enquiry seeking to determine the operational or contact-ability status of a mobile station (MS) (para 0012). The Examiner cited to paragraphs 0043 and 0062 as teaching “sending from the client station into a network a message indicating how to carry out a location-based service,” as in claim 1. However, neither paragraph even mentions location-based services. Paragraph 0043 teaches conventional signal transmission, and paragraph 0062 teaches that the ‘location’ of the destination phone number is contained within a phone book feature.

For every single pending claim, the Examiner cited to paragraphs 0034-0038, 0043, 0062 and 0065 as allegedly teaching the limitations. None of those paragraphs touch upon much of the subject matter contained in the claims. As a few examples, none of those paragraphs discuss a message directing the network not to determine a location of the client station (as in claim 10), a message indicating a location determination consent level of a user of the client station (as in claim 11), or a message indicating a location granularity preference that instructs the network to determine a location of the client station, and based on the location, to provide a randomly

adjusted location of the client station to a location-based application that corresponds to the voice call (as in claims 12-13). Further, none of those paragraphs teach HTTP messages (as in claim 19) or SIP messages (as in claim 20).

Because Price does not teach all limitations of any of independent claims 1, 22 or 29, Price does not anticipate claims 1-25 and 29-30.

II. Response to Claim Rejections as Being Anticipated by Mani

The Examiner rejected claims 1-25 and 29-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,031,447 (Mani). Applicants submit that Mani does not teach “in a client station, detecting a request to initiate a voice call,” and “responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service,” as in claim 1 and similarly in claims 22 and 29.

Mani teaches a method for location-based call distribution. The method includes a customer communication device requesting to establish a communication session with an agent device (e.g., a business’ device responsible for handling calls from customers) based on a specified telephone number. An agent database is searched for the specified telephone number and location data corresponding to the specified telephone number is retrieved from the agent database. Also, the customer communication device is located, and the agent communication device that is nearest to the customer communication device is located based on the retrieved location data. Subsequently, a communication session is established between the customer communication device and the nearest agent communication device (col. 2, lines 41-55).

Specifically, Mani describes that when a customer using a customer communication device 14 calls a business number corresponding to the business that employs the agents using the agent communication devices 12, the call is routed to an application server 26. A communicator 44 prompts the customer for information, such as language preferences, the

reason for the call and/or any other suitable information. The server 26 includes a distributor 40 that locates the customer communication device 14, accesses an agent database 28 and searches for a nearest agent communication device 12 that is able to handle the call, and then routes the call to the identified agent communication device 12. (col. 6, lines 28-48).

Mani does not teach “in a client station, detecting a request to initiate a voice call,” and “responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service,” as in claim 1 and similarly in claims 22 and 29. In Mani, customer communication device 14 does not send a message into the network indicating how to carry out a location-based service. Rather, the customer communication device 14 calls into a business and a server distributes the call to an agent of the business based on a location of the agent and a location of the customer. The server determines how to handle the call.

The Examiner cited to two paragraphs within Mani (col. 2, lines 41-55; col. 6, lines 1-26) as allegedly teaching every limitation of all of the claims. The Examiner did not cite to any other portions of Mani. These two paragraphs do not teach all aspects of the present invention. Moreover, neither of these two paragraphs describes a message directing the network not to determine a location of the client station (as in claim 10), a message indicating a location determination consent level of a user of the client station (as in claim 11), or a message indicating a location granularity preference that instructs the network to determine a location of the client station, and based on the location, to provide a randomly adjusted location of the client station to a location-based application that corresponds to the voice call (as in claims 12-13).

Further, the Examiner cited to (para 0034-0038, 0043, 0062 and 0065) as allegedly teaching the limitations of claim 9. However, this appears to be a duplicate citation to Price and not to Mani, because Mani does not have paragraph numbers. In any event, Mani does not teach sending from the client station into a network a message indicating how to carry out a location-

based service, wherein the message directs the network to determine a location of the client station, as in claim 9.

Because Mani does not teach all limitations of any of independent claims 1, 22 or 29, Mani does not anticipate claims 1-25 and 29-30.

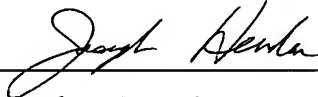
III. Conclusion

Applicants respectively submit that, in view of the remarks above, all of the pending claims are in condition for allowance. Applicants therefore respectfully request such action. The Examiner is invited to call the undersigned at (312) 913-3331 with any questions or comments.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

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By: 
Joseph A. Herndon
Reg. No. 50,469